



General Assembly

January Session, 2007

Substitute Bill No. 6948

* _____HB06948VA_JUD030607_____*

**AN ACT CONCERNING STOLEN MILITARY VALOR AND
DISCRIMINATION AGAINST MEMBERS OF THE ARMED FORCES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53-378 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Any person, other than an officer or enlisted man or woman of
4 the armed forces, [of the United States,] as defined [by] in section 27-
5 103, or any reserve component thereof, or of [this] the state, as defined
6 [by] in section 27-2, or a member of a school or college military or
7 naval organization, organized, uniformed and drilling as such, or [an
8 inmate] a resident of any veterans' or soldiers' home, or a police officer,
9 who, at any time, wears the uniform, or any part of the uniform, of any
10 of said armed forces, reserve components or organizations, [units or
11 services,] within the state, shall be fined not less than [one] five
12 hundred dollars [nor] or more than [five hundred] one thousand
13 dollars or imprisoned not more than six months, or both, provided
14 nothing in this section shall be construed as prohibiting any person
15 having been honorably discharged from any of said armed forces,
16 reserve components or organizations [, units or services] from wearing
17 [his] the person's uniform in accordance with the laws of the United
18 States or the state and the regulations governing any of said armed
19 forces, reserve components or organizations, [units or services,] or any

20 person taking part in any play, opera, theater or other entertainment
21 from wearing such uniform while actually engaged in such
22 entertainment.

23 (b) Any person who falsely represents himself or herself, orally or in
24 writing, to have been awarded any decoration or medal authorized by
25 the United States Congress for the armed forces, as defined in section
26 27-103, or any of the service medals or badges awarded to the
27 members of such armed forces, or the ribbon, button or rosette of any
28 such decoration, medal or badge, or any colorable imitation thereof,
29 shall be fined not less than five hundred dollars or more than one
30 thousand dollars or imprisoned not more than six months, or both.

31 Sec. 2. (NEW) (*Effective October 1, 2007*) Any person who subjects or
32 causes to be subjected any other person to the deprivation of any
33 rights, privileges or immunities usually enjoyed by the public, on
34 account of membership in the armed forces of the state, as defined in
35 section 27-2 of the general statutes, or the armed forces, as defined in
36 section 27-103 of the general statutes, or on account of the wearing of
37 the uniform of any such armed forces, or who, on account of such
38 membership or the wearing of such uniform, deprives any other
39 person of the full and equal enjoyment of any advantages, facilities,
40 accommodations, amusement or transportation, subject only to the
41 limitations established by law and applicable to all persons, or who, on
42 account of such membership or the wearing of such uniform, increases
43 the price for the enjoyment of any such privileges, shall be fined not
44 less than five hundred dollars or more than one thousand dollars or
45 imprisoned not more than six months, or both.

46 Sec. 3. Section 52-571 of the general statutes is repealed and the
47 following is substituted in lieu thereof (*Effective October 1, 2007*):

48 (a) Any person [who subjects or causes to be subjected any other
49 person to the deprivation of any rights, privileges or immunities
50 usually enjoyed by the public, on account of membership in the armed
51 forces of this state, as defined by section 27-2, or of the United States,

52 as defined by section 27-103, or on account of the wearing of the
 53 uniform of such service, or who, on account of such membership or the
 54 wearing of such uniform, deprives any other person of the full and
 55 equal enjoyment of any advantages, facilities, accommodations,
 56 amusement or transportation, subject only to the limitations
 57 established by law and applicable alike to all persons, or who, on
 58 account of such membership or the wearing of such uniform,
 59 discriminates in the price for the enjoyment of any such privileges,
 60 shall forfeit and pay to the person injured thereby double damages, to
 61 be recovered in any court of competent jurisdiction within this state]
 62 aggrieved by an act constituting a violation of section 2 of this act may
 63 bring a civil action in the Superior Court for damages against the
 64 person who committed such act.

65 (b) In any civil action brought under this section in which the
 66 plaintiff prevails, the court shall award the greater of one thousand
 67 dollars or treble damages, together with costs and a reasonable
 68 attorney's fee.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	53-378
Sec. 2	October 1, 2007	New section
Sec. 3	October 1, 2007	52-571

VA

Joint Favorable Subst. C/R

JUD